

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1275

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## AN ACT

To require the collection of voluntary feedback on services provided by agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Agency Customer Experience Act of 2019”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

5 (a) FINDINGS.—Congress finds that—

6 (1) the Federal Government serves the people  
7 of the United States and should seek to continually  
8 improve public services provided by the Federal Government based on customer feedback;

10 (2) the people of the United States deserve a  
11 Federal Government that provides efficient, effective,  
12 and high-quality services across multiple channels;

14 (3) many agencies, offices, programs, and Federal  
15 employees provide excellent service to individuals, however, many parts of the Federal Government still fall short on delivering the customer service experience that individuals have come to expect from the private sector;

20 (4) according to the 2018 American Customer  
21 Satisfaction Index, the Federal Government ranks  
22 among the bottom of all industries in the United  
23 States in customer satisfaction;

24 (5) providing quality services to individuals improves the confidence of the people of the United  
25

1 States in their Government and helps agencies  
2 achieve greater impact and fulfill their missions; and

3 (6) improving service to individuals requires  
4 agencies to work across organizational boundaries,  
5 leverage technology, collect and share standardized  
6 data, and develop customer-centered mindsets and  
7 service strategies.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10 (1) all agencies should strive to provide high-  
11 quality, courteous, effective, and efficient services to  
12 the people of the United States and seek to measure,  
13 collect, report, and utilize metrics relating to the ex-  
14 perience of individuals interacting with agencies to  
15 continually improve services to the people of the  
16 United States; and

17 (2) adequate Federal funding is needed to en-  
18 sure agency staffing levels that can provide the pub-  
19 lic with appropriate customer service levels.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) ADMINISTRATOR.—The term “Adminis-  
23 trator” means the Administrator of General Serv-  
24 ices.

1           (2) AGENCY.—The term “agency” has the  
2 meaning given the term in section 3502 of title 44,  
3 United States Code.

4           (3) COVERED AGENCY.—The term “covered  
5 agency” means an agency or component of an agen-  
6 cy that is required by the Director to collect vol-  
7 untary feedback for purposes of section 6, based on  
8 an assessment of the components and programs of  
9 the agency with the highest impact on or number of  
10 interactions with individuals or entities.

11           (4) DIRECTOR.—The term “Director” means  
12 the Director of the Office of Management and Budg-  
13 et.

14           (5) VOLUNTARY FEEDBACK.—The term “vol-  
15 untary feedback” has the meaning given the term in  
16 section 3502 of title 44, United States Code, as  
17 added by section 4 of this Act.

18 **SEC. 4. APPLICATION OF THE PAPERWORK REDUCTION**  
19 **ACT TO COLLECTION OF VOLUNTARY FEED-**  
20 **BACK.**

21 Subchapter I of chapter 35 of title 44, United States  
22 Code (commonly known as the “Paperwork Reduction  
23 Act”), is amended—

1 (1) in section 3502, as amended by section  
2 202(a) of the Foundations for Evidence-Based Pol-  
3 icymaking Act of 2018 (Public Law 115–435)—

4 (A) in paragraph (22), by striking “and”  
5 at the end;

6 (B) in paragraph (23), by striking the pe-  
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(24) the term ‘voluntary feedback’ means any  
10 submission of information, opinion, or concern that  
11 is—

12 “(A) voluntarily made by a specific indi-  
13 vidual or other entity relating to a particular  
14 service of or transaction with an agency; and

15 “(B) specifically solicited by that agency.”;

16 and

17 (2) in section 3518(c)(1)—

18 (A) in subparagraph (C), by striking “or”  
19 at the end;

20 (B) in subparagraph (D), by striking the  
21 period at the end and inserting “; or”; and

22 (C) by adding at the end the following:

23 “(E) by an agency that is voluntary feedback.”.

1 **SEC. 5. GUIDELINES FOR VOLUNTARY FEEDBACK.**

2 Each agency that solicits voluntary feedback shall en-  
3 sure that—

4 (1) responses to the solicitation of voluntary  
5 feedback remain anonymous and shall not be traced  
6 to specific individuals or entities;

7 (2) individuals and entities who decline to par-  
8 ticipate in the solicitation of voluntary feedback shall  
9 not be treated differently by the agency for purposes  
10 of providing services or information;

11 (3) the solicitation does not include more than  
12 10 questions;

13 (4) the voluntary nature of the solicitation is  
14 clear;

15 (5) the proposed solicitation of voluntary feed-  
16 back will contribute to improved customer service;

17 (6) solicitations of voluntary feedback are lim-  
18 ited to 1 solicitation per interaction with an indi-  
19 vidual or entity;

20 (7) to the extent practicable, the solicitation of  
21 voluntary feedback is made at the point of service  
22 with an individual or entity;

23 (8) instruments for collecting voluntary feed-  
24 back are accessible to individuals with disabilities in  
25 accordance with section 508 of the Rehabilitation  
26 Act of 1973 (29 U.S.C. 794d); and

1           (9) internal agency data governance policies re-  
2           main in effect with respect to the collection of vol-  
3           untary feedback from individuals and entities.

4 **SEC. 6. CUSTOMER EXPERIENCE DATA COLLECTION.**

5           (a) COLLECTION OF RESPONSES.—The head of each  
6           covered agency (or a designee), assisted by and in coordi-  
7           nation with the senior accountable official for customer  
8           service of the covered agency, shall collect voluntary feed-  
9           back with respect to services of or transactions with the  
10          covered agency.

11          (b) CONTENT OF QUESTIONS.—

12               (1) STANDARDIZED QUESTIONS.—The Director,  
13               in coordination with the Administrator, shall develop  
14               a set of standardized questions for use by covered  
15               agencies in collecting voluntary feedback under this  
16               section that address—

17                       (A) overall satisfaction of individuals or  
18                       entities with the specific interaction or service  
19                       received;

20                       (B) the extent to which individuals or enti-  
21                       ties were able to accomplish their intended task  
22                       or purpose;

23                       (C) whether the individual or entity was  
24                       treated with respect and professionalism;

1 (D) whether the individual or entity be-  
2 lieves they were served in a timely manner; and

3 (E) any additional metrics as determined  
4 by the Director, in coordination with the Ad-  
5 ministrator.

6 (2) ADDITIONAL QUESTIONS.—In addition to  
7 the questions developed under paragraph (1), the  
8 senior accountable official for customer service at a  
9 covered agency may develop questions relevant to the  
10 specific operations or programs of the covered agen-  
11 cy.

12 (c) ADDITIONAL REQUIREMENTS.—To the extent  
13 practicable—

14 (1) each covered agency shall collect voluntary  
15 feedback across all platforms or channels through  
16 which the covered agency interacts with individuals  
17 or other entities to deliver information or services;  
18 and

19 (2) voluntary feedback collected under this sec-  
20 tion shall be tied to specific transactions or inter-  
21 actions with customers of the covered agency.

22 (d) REPORTS.—

23 (1) ANNUAL REPORT TO THE DIRECTOR.—

24 (A) IN GENERAL.—Not later than 1 year  
25 after the date of enactment of this Act, and not

1 less frequently than annually thereafter, each  
2 covered agency shall publish on the website of  
3 the covered agency and submit to the Director,  
4 in a manner determined by the Director, a re-  
5 port on the voluntary feedback required to be  
6 collected under this section that includes—

7 (i) the detailed results, including a  
8 summary of how individuals and entities  
9 responded to each question;

10 (ii) the total number of survey re-  
11 sponses; and

12 (iii) the response rate for each survey  
13 administered.

14 (B) CENTRALIZED WEBSITE.—The Direc-  
15 tor shall—

16 (i) include and maintain on a publicly  
17 available website links to the information  
18 provided on the websites of covered agen-  
19 cies under subparagraph (A); and

20 (ii) for purposes of clause (i), estab-  
21 lish a website or make use of an existing  
22 website, such as the website required under  
23 section 1122 of title 31, United States  
24 Code.

1           (2) **AGGREGATED REPORT.**—Each covered  
2 agency shall publish, on a regular basis, an aggre-  
3 gated report on the solicitation of voluntary feedback  
4 sent to individuals or entities, which shall include—

5           (A) the intended purpose of each sollicita-  
6 tion of voluntary feedback conducted by the  
7 covered agency;

8           (B) the appropriate point of contact within  
9 each covered agency for each solicitation of vol-  
10 untary feedback conducted;

11           (C) the questions or survey instrument  
12 submitted to members of the public as part of  
13 the solicitation of voluntary information; and

14           (D) a description of how the covered agen-  
15 cy uses the voluntary feedback received by the  
16 covered agency to improve the customer service  
17 of the covered agency.

18 **SEC. 7. CUSTOMER EXPERIENCE REPORT.**

19           (a) **IN GENERAL.**—Not later than 15 months after  
20 the date on which all covered agencies have submitted the  
21 first annual reports to the Director required under section  
22 6(d)(1), and every 2 years thereafter until the date that  
23 is 10 years after such date, the Comptroller General of  
24 the United States shall make publicly available and submit  
25 to the Committee on Homeland Security and Govern-

1 mental Affairs of the Senate and the Committee on Over-  
2 sight and Reform of the House of Representatives a report  
3 assessing the data collected and reported by the covered  
4 agencies.

5 (b) CONTENTS.—The report required under sub-  
6 section (a) shall include—

7 (1) a summary of the information required to  
8 be published by covered agencies under section 6(d);  
9 and

10 (2) a description of how each covered agency  
11 will use the voluntary feedback received by the cov-  
12 ered agency to improve service delivery.

13 **SEC. 8. RESTRICTION ON USE OF INFORMATION.**

14 Any information collected pursuant to this Act, or  
15 any amendment made by this Act, may not be used in  
16 any appraisal of job performance of a Federal employee  
17 under chapter 43 of title 5, United States Code, or any  
18 other provision of law.

Passed the Senate July 25, 2019.

Attest:

*Secretary.*

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